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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/614,687	07/07/2003	Letitia K. Lee	SVL920030030US1	7413

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EXAMINER

PITARO, RYAN F

ART UNIT	PAPER NUMBER
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2174

MAIL DATE	DELIVERY MODE
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03/13/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/614,687	Applicant(s) LEE ET AL.	
	Examiner RYAN F. PITARO	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-19 have been examined.

Response to Amendment

2. This amendment is in response to the amendment 12/21/2007. This action is final.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-4,6-11,14-16,18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allegro ("Allegro", three-state) in view of in view of Ashe et al ("Ashe", US 2002/0093523).

As per claim 1, Allegro teaches a system, comprising: a computer system having a graphical user interface (GUI) (lines 1-10, checkbox); a module that provides a plurality of icons for a component of said GUI that are distinct according to a selection property and an enablement property (Lines 5-10). Allegro does not expressly state overriding default values. However, Ashe teaches a software component executable on said computer system to override a plurality of default icons for said component ([0034]-[0035]) and displaying the preferred icons on GUI in place of the default icons ([0034]-[0035]). Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching of Ashe with the system of Allegro. Motivation to do so would have been to allow customizable icons so that each user would understand their respective meanings.

As per claim 2, Allegro-Ashe teaches the system according to claim 1, wherein said software component runs during initialization (Ashe, [0023]).

As per claim 3, Allegro-Ashe teaches the system according to claim 1, wherein said component is a checkbox (Allegro, lines 1-9).

As per claim 4, Allegro-Ashe teaches the system according to claim 3, wherein said checkbox has a selected property and an enabled property and is rendered on said GUI as a square filled with white and a black check inside said square (Allegro, lines 5-9).

As per claim 6, Allegro-Ashe teaches the system according to claim 3, wherein said checkbox has a unselected property and an enabled property and is rendered on said GUI as a square filled with white (Allegro, lines 5-9).

As per claim 7, Allegro-Ashe teaches the system according to claim 3, wherein said checkbox has an unselected property and a disabled property and is rendered on said GUI as a square filled with gray (Allegro, lines 1-14).

Claim 8 is similar in scope to that of claim 1 and is therefore rejected under similar rationale.

As per claim 9, Allegro-Ashe teaches the method according to claim 8, wherein said selection property is an indication of user selection of said component (Allegro, lines 1-14).

As per claim 10, Allegro-Ashe teaches the method according to claim 8, wherein said enablement property is an indication of whether editing of said component is permitted (Allegro, lines 1-14).

Claim 11 is similar in scope to that of claim 3, and is therefore rejected under similar rationale.

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Claim 14 is similar in scope to that of claim 1, and is therefore rejected under similar rationale.

Claim 15 is similar in scope to that of claim 3, and is therefore rejected under similar rationale.

Claim 16 is similar in scope to that of claim 4, and is therefore rejected under similar rationale.

Claim 18 is similar in scope to that of claim 6, and is therefore rejected under similar rationale.

Claim 19 is similar in scope to that of claim 7, and is therefore rejected under similar rationale.

5. Claims 5,12,13,17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allegro ("Allegro", three-state) and Ashe et al ("Ashe", US 2002/0093523) in view of Iizuka ("Iizuka", US 6,029,198).

As per claim 5, Allegro-Ashe is silent in teaching a selected and disabled property. However, Iizuka teaches the system according to claim 3, wherein said

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checkbox has a selected property and a disabled property and is rendered on said GUI as a square filled with gray and a black check inside said square (Figure 10, item 905).

Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching of Iizuka with the system of Allegro-Ashe. Motivation to do so would have been to provide to the user an indication that a check must be enabled.

As per claim 12, the modified Allegro teaches the method according to claim 8, wherein said checkbox is within a second component (Iizuka, Figure 10).

As per claim 13, the modified Allegro teaches the method according to claim 12, wherein said second component is a table (Figure 10).

Claim 17 is similar in scope to that of claim 5, and is therefore rejected under similar rationale.

Response to Arguments

Applicant's arguments filed 12/21/2007 have been fully considered but they are not persuasive.

The Applicant argues that the combination of Allegro and Ashe does not disclose overriding a plurality of default icons for a component with preferred icons. The Applicant attributes this allegation since the Ashe publication does not describe either Theme 1 or Theme 2 as being a default theme or a preferred theme. However, Ashe

specifically describes in paragraph [0006] that the parents the owners of the computer may choose to have the conservative theme (the default in this case since its the parents computer) and then the children may **prefer** to use a second theme when they are using the computer.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RYAN F. PITARO whose telephone number is (571)272-4071. The examiner can normally be reached on 7:00am - 4:30pm Mondays through Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/R. F. P./
Examiner, Art Unit 2174

/David A Wiley/
Supervisory Patent Examiner, Art Unit 2174